

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

ROBERT WADE,

Petitioner,

v.

BERNARD F. BRADY, ET AL.

Respondents.

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Civil Action No. 04-12135- NG

DEFENDANTS' CROSS-MOTION FOR SUMMARY JUDGMENT

The Defendants, Bernard F. Brady, Timothy J. Cruz, and Martha Coakley (the “Defendants”), pursuant to Fed. R. Civ. P. 56, hereby respectfully move for summary judgment on all claims asserted against them in this action by the Plaintiff, Robert Wade (the “Plaintiff”). Judgment must be awarded to the Defendants, given that this action does not present a justiciable case or controversy, it is untimely, and the Plaintiff has not demonstrated an entitlement to relief under an appropriate standard. In further support of this Motion, the Defendants rely on and incorporate their accompanying memorandum of law.

WHEREFORE, the Defendants request that this Honorable Court enter summary judgment in their favor and against the Plaintiff on all claims asserted against them in this action, in their entirety, and grant such other relief as is just and proper under the circumstances.

Respectfully submitted,

BERNARD F. BRADY,
TIMOTHY J. CRUZ, and
MARTHA COAKLEY,

by their counsel,

MARTHA COAKLEY
Attorney General

/s/ Randall E. Ravitz
Randall E. Ravitz (BBO # 643381)
Assistant Attorney General
Criminal Bureau
One Ashburton Place
Boston, Massachusetts 02108
(617) 727-2200, ext. 2852

Dated: May 6, 2008

CERTIFICATE OF COMPLIANCE PURSUANT TO LOCAL RULE 7.1(A)(2)

Pursuant to Local Rule 7.1(A)(2), I hereby certify that I have conferred in good faith with opposing counsel concerning the subject of this motion, but the parties were not able to reach a resolution.

Dated: May 6, 2008

/s/ Randall E. Ravitz
Randall E. Ravitz

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the Electronic Case Filing system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing and paper copies will be sent to those indicated as non-registered participants on the date set forth below.

Dated: May 6, 2008

/s/ Randall E. Ravitz
Randall E. Ravitz